

DOCKET: STR30100

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR:	Burroughs et al.)	EXAMINER:	C. Chaney
SERIAL NO.:	09/338,115)	ART UNIT:	1745
FILING DATE:	June 23, 1999)	DATE:	June 7, 2000
FOR:	Battery Strength Indicator)		

SUPPLEMENTAL REISSUE DECLARATION

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Applicants, James R. Burroughs and Alan N. O'Kain, citizens of the United States of America, declare that:

1. We believe that we are the original, first and joint inventors of the subject matter described and claimed in U.S. Patent No. 5,015,544 granted on May 14, 1991 and in the specification submitted in this reissue application, which is a continuation of reissue application no. 07/963,915.

2. We do not know and do not believe that the invention was ever known or used in the United States before our invention thereof.

3. We hereby state that we have received and understand the contents of the specification and claims of this continuation reissue application, including claims 51-62 presented in the preliminary amendment dated June 23, 1999 and claims 63-80 presented in the amendment submitted herewith.

4. We acknowledge our duty to disclose information which is material to the examination of this application in accordance with 37 CFR § 1.56.

5. We believe the original '544 patent to be wholly or partially inoperative because of error, without deceptive intent on our part, by reason of claiming less than we had a right to claim in the '544 patent. An error relied upon for reissue of the '544 patent is the fact that claims 1-11 of the '544 patent are limited to a battery having a battery strength indicator and switch means in which the battery indicator means is defined as a first chamber having indicator means therein formed between top and base non-conductive layers, and the switch means is defined as a deformable second chamber formed between the top and base layers, and including first, second and third conductive means. Since the issuance of the '544 patent, we have come to realize that the inventive concept of our invention disclosed in the '544 patent does not require recitation of such specific construction of the battery indicator and switch. Examples of a broader recitation of our inventive concept correcting this error is shown in claims 63-80 submitted herewith.

6. Every error in the '544 patent which was corrected in the present reissue application up to the time of filing of this declaration, and is not covered by a prior oath or declaration submitted in this application, arose without any deceptive intent on our part.

7. The undersigned applicants declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 USC § 1001 and that such willful false statements may jeopardize the

validity of this application or any patent issuing therefrom.

6-7-00

Date

6-7-00

Date

James P. Burroughs

James P. Burroughs

Alan N. O'Kain

Alan N. O'Kain

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